

agency, or when an alternate agent takes over the duties of the principal agent, the new or alternate agent shall immediately issue a supplement to each of the superseded agent's effective tariffs. Instead of showing an effective date on the title page, the following statement or one to similar effect shall be shown:

On and after [date the authority was transferred], this publication is the issue of [new or alternate agent's name].

(2) In the case of a new agent, only the carriers that have issued new powers of attorney may be shown in the take-over publication as participants. All other carriers previously shown as participants shall be shown as canceled, either by listing each and stating its participation is canceled or by showing the following statement or one to similar effect at the beginning of the list:

The following is the list of carriers participating in this tariff as of [take-over date]. All carriers previously shown as participants but not shown are canceled.

(3) A take-over supplement shall remain in effect for the life of the tariff, except the list of participating carriers may be amended.

(4) A take-over supplement is exempt from the provisions of § 1312.18 limiting the number and volume of supplements.

(5) Where joint-agent publications (see § 1312.11) are involved, there are four major situations:

(i) The issuing agent is taken over by an agent not already shown as joining in the publication.

(ii) A joint agent is taken over by an agent other than the issuing agent.

(iii) A joint agent is taken over by the issuing agent; or

(iv) The issuing agent is taken over by a joint agent shown on the publication.

(A) In the case of paragraph (d)(5)(i) of this section, the new agent issues the take-over supplement.

(B) In the case of paragraph (d)(5)(ii) of this section, the issuing agent of the tariff issues the supplement showing the name of the new agent for the one taken over.

(C) In the case of paragraph (d)(5)(iii) of this section, the issuing agent of the

tariff issues the supplement, with the former agent and its ICC designation deleted.

(D) In the case of paragraph (d)(5)(iv) of this section, the new agent becomes the issuing agent, issues the take-over supplement, with the former issuing agent and its ICC designation deleted. In each case, the supplement shall contain only matter necessary to explain the action with the list of participating carriers, if any, appropriately amended.

(6) Amendments (including the take-over supplement) filed by the new agent to tariffs issued by the former agent shall, in connection with the ICC designation, show that they are in the series of the former agent.

(7) New tariffs issued by the new agent shall be in the new agent's own ICC designation series. If a new tariff cancels a tariff taken over by the new agent, the cancellation shall indicate the series of the tariff canceled.

(8) An alternate agent, after take over, shall continue to use the ICC designation series of the former agent, and shall, in connection with the ICC designation, identify it by name of the former agent.

§ 1312.11 Tariffs issued by joint agents not applicable to contract carriers or household goods freight forwarders.

(a) *May be filed.* Two or more agents may issue a tariff(s). Each agent shall act only for carriers who have given it powers of attorney or who have given concurrences to carriers issuing powers of attorney. Each agent need not obtain powers of attorney from all participating carriers. Each carrier shall be shown as participating under authority given to one of the issuing agents.

(b) *Title pages and looseleaf pages.* The title page of each original joint issue tariff and supplement and each joint issue looseleaf page—

(1) May show a separate ICC designation in the series of each agent; and

(2) Shall show at the bottom—

(i) "Issued By" followed by the name, title, and mailing address of the principal agent or issuing party; and

(ii) Below that, "Jointly With" followed by the name, title, and mailing

address of the other agent(s) joining in the issue.

For bound tariffs only, the names, addresses, and ICC designations of agents other than the principal agent may be shown on the reverse side of the title page of the tariff publication instead of on the title page. Except as provided in § 1312.10, an agent may be added or deleted as an issuing party only by re-issue of the tariff. In either case, the former tariff shall be canceled only by supplement.

(c) *List of participating carriers.* Any list of carriers participating in the tariff shall be arranged as provided in § 1312.13 and shall be published in—

(1) The tariff itself;

(2) A separate jointly issued participating carrier tariff; or

(3) Each issuing agent's separate participating carrier tariff.

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§ 1312.12 Title page of original tariffs.

(a) *Title page required.* Original tariffs shall have a title page which contains at a minimum the information required by paragraphs (b) through (k) of this section.

(b) *ICC designation and cancellation notice.* The tariff's ICC designation shall be shown. Immediately under it, the ICC designation of the tariff(s) being canceled, if any. If there are numerous tariffs being canceled, the ICC designations of those tariffs may be shown—

(1) If a bound tariff, on the first page after the title page which contains tariff matter; or

(2) If a looseleaf tariff, on the first page after the "check sheet(s)," or, if the "correction number, checkoff" type of check sheet is also employed, the first page following that. If the cancellations are not shown on the title page, reference to the location of the listing of the canceled tariffs should be shown.

(c) *Looseleaf tariffs.* The title page of an original looseleaf tariff shall be designated as an "Original Title page."

(d) *Name and certificate number.* The name of the issuing carrier or agent and complete mailing address shall be shown. Ocean carriers filing tariffs jointly with this Commission and the

Federal Maritime Commission shall show the name officially recognized by that agency. The name of the carrier shall be followed by the number of its certificate or permit, if any. Sub numbers of certificates and permits need not be shown. If the agent is a corporation or association, its name shall be shown. If the agent is an individual, the association's name (if any) for whom the agent acts may also be shown.

(e) *Type of rates or fares, modes of transportation and territorial application—rate or fare tariffs.* (1) (This paragraph applies to motor passenger contract carriers.) The title page shall state that the tariff is a "Contract Carrier Schedule of Minimum Rates [or "Fares"] and Charges Applying On", and show a short, specific description of the commodities, or types of fares, and the territory covered.

(2) (This paragraph applies to common carriers.) A tariff naming rate shall provide the following information:

(i) The type of rates, the modes of transportation, and the territory covered. The terms local, joint, proportional, and distance shall be used to identify the rates.

(ii) Tariffs shall use appropriate terms to identify the rates in the tariff as specifically as possible; for example: export, import, coastwise, intercoastal, assembling, distribution, class, commodity, commodity-column (column-commodity), passenger, commutation, truckload, carload, trainload, less-than-truckload, less-than-carload, or any quantity.

(iii) Each mode of transportation shall be identified, such all-rail, all-motor, motor-water, motor-rail or rail-motor-water routes.

(f) *Governing tariffs.* A classification, a rules tariff or another type of governing tariff shall show a brief description of the tariff and its contents.

(g) *Nomenclature for tariff.* A brief reference (e.g., "Iron and Steel Tariff," "Charter Coach Tariff"), by which the tariff can be readily identified may be shown.

(h) *Reference to item containing a list of governing tariffs.* A tariff governed by one or more other tariffs shall refer to